



City of Carmel

Carmel Board of Zoning Appeals

Hearing Officer

Monday, May 21, 2007

The meeting was held at 5:30 PM in the Caucus Rooms of City Hall, Carmel, Indiana on Monday, May 21, 2007. The Hearing Officer was Kent Broach.

Department of Community Services Staff in attendance was Christine Barton-Holmes, Angie Conn and Rachel Boone.

Recording equipment did not work.

D. Public Hearing

1-3d. 10555 Hussey Lane - Accessory Building

The applicant seeks the following development standards variance approval:

Docket No. 07030029 V Section 25.01.01.B.1 accessory building height

The site is located at 10555 Hussey Ln. and is zoned S-2/Residence. Filed by Larry Jones-

Present for the Petitioner: Larry Jones, Teagen. The petitioner seeks approval to construct an accessory building for an indoor basketball court that would exceed the 18-foot height limit. The height will be close to 34 feet at the ridge and about 32 feet above grade. It will be clad in wood with a standing seam metal roof and will be built 4 feet above grade because it is on the fringe of the flood plain. The existing tennis court will be moved to accommodate the new building and both will be landscaped. They have committed to exterior lighting that will be limited to general illumination of the basketball court entry, stairway and parking areas. Exterior mounted motion sensor flood lights shall be permitted provided they do not operate after 10:00 pm on weekdays and 12:00 pm on weekends. Consistent landscaping shall be installed within three months after initial use of the basketball court.

Members of the public were invited to speak in favor or opposition to the petition.

Opposition:

Ann O'Hara, Church Church Hittle & Antrim Attorneys, representing Jennifer and Dennis Reinbold at 10435 Hussey Lane, adjoining property owners. They are opposed to the height of the building. They feel it will have adverse affect on their property value. They were not aware of any commitments made for lighting and landscaping.

Rebuttal:

Mr. Jones stated he had done additional research. The location of the building is at 808 grade. The grade is 833-834 around the Simon and Reinbold homes. Pictures were shared showing the trees screening the new building from the residences. The pictures were taken looking up from the site toward the Reinbold

residence and looking down from the Reinbold residence toward the site. From the proposed site plan for the Reinbold home additions, the additions will benefit the screening because of the large difference in grade. No trees will be removed and more will be added. The building will have a green roof which will break up the view. It will be 175 to 200 feet from the Reinbold residence.

The Public Hearing was closed.

Mrs. Barton-Holmes gave the Department Report. The Department recommended positive consideration. The height is necessary to appropriately be able to play basketball indoors without any interferences of a low ceiling. The existing woods, grade change, and proposed landscaping will all help screen the proposed building from surrounding properties.

Mr. Broach noted that the grade change is significant. However, the Reinbolds had not been aware of the commitments made pertaining to lighting and landscaping. He suggested the Petition could be tabled for 30 days to allow the parties to discuss the project further or either party could appeal the decision that was made by the Hearing Officer.

Ms. O'Hara would like her clients to review the material.

Mr. Jones had met with the Reinbolds and the supervisor of their remodeling project. He would be interested in pursuing the discussion further.

Mr. Broach recommended the Hearing be continued for a week or so and then re-convene to review the commitments. He suggested each party work with the Department to schedule a date to continue the Hearing.

4-5d. 14535 Hazel Dell Parkway – Riverview Health Park

The applicant seeks the following development standards variance approvals:

Docket No. 07050003 Section 25.07.02-11e setback from right-of-way

Docket No. 07050004 Section 25.07.02-11.c.ii maximum sign area

The site is located at 14535 Hazel Dell Parkway and is zoned PUD/Planned Unit Development.

Filed by Plum Creek Partners, LLC.

Present for the Petitioner: Jae Ebert, VP Support Services, Riverview Hospital. They feel the current setbacks are too far back from Hazel Dell Parkway. They would agree to move the sign if the proposed location was needed in the future for road right-of-way. The proposed sign would be 38.7 square feet instead of the permitted 30 square feet.

Members of the public were invited to speak in favor or opposition to the petition; no one appeared.

The Public Hearing was closed.

Mrs. Barton-Holmes gave the Department Report. The Department recommended positive consideration. It would be fairly minor to move the sign if additional lanes were constructed.

Mr. Broach **APPROVED** Docket Nos. **07050003** and **07050004**, **Riverview Health Park at 14535 Hazel Dell Parkway.**

E. Old Business

There was no Old Business.

F. New Business

There was no New Business.

G. Adjournment

The meeting was adjourned at 5:55 PM.

Kent Broach, Hearing Officer

Connie Tingley, Secretary